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| 09/460,962 | 12/14/1999 | CORWYN R. MEYER | 450.311US1 | 3176 |
| 24333 | 7590 | 09/15/2004 | EXAMINER | |
| GATEWAY, INC. | | | LIANG, REGINA | |
| ATTN: SCOTT CHARLES RICHARDSON | | | ART UNIT | PAPER NUMBER |
| 610 GATEWAY DRIVE | | | | |
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| N. SIOUX CITY, SD 57049 | | | DATE MAILED: 09/15/2004 | |

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|------------------------------|---------------------------------|-------------------------|--|
| | 09/460,962 | MEYER, CORWYN R. | |
| | Examiner Regina Liang | Art Unit 2674 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 02 June 2003.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-14 and 18-24 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) 13,14,18,19 and 21-24 is/are allowed.

6) Claim(s) 1-8,10-12 and 20 is/are rejected.

7) Claim(s) 9 is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) Notice of Informal Patent Application (PTO-152)
6) Other: _____.

DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Response to Amendment

2. The amendment filed on 6/2/03 is entered.
3. Claims 9 and 12 are presented in the amendment filed on 6/2/03 as original claims and original claims 9 and 12 depend on claim 8 and 11, respectively. The claims 9 and 12 as presented in the amendment filed on 6/2/03 contain a typo error stating the claims depend on claim 1. For the purpose of applying art, claims 9 and 12 are treated as originally presented and they depend on claim 8 and 11, respectively.

Claim Rejections - 35 USC § 112

4. Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 3 recites the limitation "the host computer" in 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

6. Claims 1, 5 are rejected under 35 U.S.C. 102(e) as being anticipated by Chow et al (US. PAT. NO. 6,470,179 filed 12/30/98 hereinafter Chow).

As to claim 1, Fig. 4A of Chow discloses a cordless communication system comprising a Mobile station MS 10 (at least one peripheral device) connected to a service network (IBS 130, LDS 140, NSP 145, AC, GW 170, HLR 175-2 shown in Fig. 4A, this corresponds to host device) by a wireless connection (col. 8, lines 64-66). Chow teaches when MS 10 powers up, the MS 10 sends an IS-136 Registration to the IBS 130 (this corresponds to the at least one peripheral device being capable of sending a first signal to the host device), after the registration processing in IBS 130, LDS 140, NSP 145, AC, GW 170, HLR 175-2 shown in Fig. 4A, the IBS 130 sends an IS-136 Reg Accept message to the MS 10 to complete the MS registration procedures (this corresponds to the host device being capable of sending a second signal to the at least one peripheral device in response to, and verifying receipt by the host device, the first signal sent by the at least one peripheral device). Fig. 8 of Chow also teaches the MS 10 may indicate that no service is available such as via a status indicator on the MS 10 if the network determines the service is not appropriate (col. 27, lines 36-48, this corresponds to an alarm responsive to a determination that the second signal has not been received by the at least one peripheral device, the alarm notifying the user of the loss of wireless connection between the host device and the at least one peripheral device, wherein the alarm is configured as part of the at least one peripheral device as claimed).

As to claim 5, Chow teaches the wireless connection is an RF connection (col. 11, line 55).

7. Claims 1, 2, 4, 6, 7 and 20 are rejected under 35 U.S.C. 102(a) as being anticipated by Morinaga (JP 411095900).

As to claim 1, Morinaga discloses a system comprising a monitor device 1 (host device), at least one peripheral device (wireless keyboard 2) connected to monitor device 1, the keyboard 2 being capable of sending a first signal to the monitor device 1 (page 3, lines 1-4 of the English translation) and the monitor device 1 being capable of sending a second signal to the keyboard device in response to, and verify receipt by the monitor device of, the first signal sent by the keyboard (page 3, lines 6-7 of the English translation). Morinaga also discloses the wireless keyboard 2 has an error message section 5 for notifying the user it is transmitting error (page 3, lines 7-10 of the English translation, this corresponds to an alarm responsive to a determination that the second signal has not been received by the at least one peripheral device, the alarm notifying the user of the loss of wireless connection between the host device and the at least one peripheral device, wherein the alarm is configured as part of the at least one peripheral device).

As to claim 2, Morinaga teaches the monitor device comprising a microcomputer and the wireless keyboard is a computer keyboard.

As to claim 4, Morinaga teaches the wireless connection is an IR connection.

As to claim 6, Morinaga teaches the at least one peripheral device is a remote control device (page 2, section [0023]).

As to claim 7, Morinaga teaches the alarm is an audible alarm (see page 3, section [0035]).

As to claim 20, Morinaga teaches an input device (keyboard) as part of the least one peripheral device, and the keyboard is configured to control the host device according to data entry received from the user via the keyboard.

Claim Rejections - 35 USC § 103

8. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Morinaga.
Morinaga fails to teach audible alarm comprising a series of beeps. Morinaga teaches the loudspeaker 6 is connected to control section 12 which consists of a microcomputer (see Fig. 2), this implies sounds are computer generated. Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Morinaga to have computer generated sounds as a series of beeps because it would quickly alert the user of abnormal state of communication.

9. Claims 3, 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morinaga in view of Frederick (US. PAT. NO. 5,990,868).
As to claim 3, Morinaga does not disclose the keyboard comprises an input device through which multiple peripheral devices communicate with the host device. However, Frederick teaches a computer keyboard 16 comprising a trackball 28 and mouse keys 26 as shown in Fig. 2, col. 3, lines 45-49. Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the keyboard of Morinaga to have multiple peripheral devices as taught by Frederick so as to provide an improved communications device between a host system can communicate with plural peripherals to provide plural data input.

As to claim 11, Morinaga does not disclose the at least one peripheral device comprises a first peripheral device and at least one additional peripheral device. Frederick teaches a host computer 12, a wireless keyboard 16 (col. 3, lines 29-35) further comprising a trackball (trackball 28 as shown I Fig. 2, col. 3, lines 45-49). Note that the keyboard data entry and trackball operation for cursor control are separately recognized by host computer as separate input event. Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the keyboard of Morinaga to have a trackball because it would allow a user to communicate wirelessly to a host computer via data entry or cursor control, without need of a separate trackball device and required space.

As to claim 12, Morinaga as modified by Frederick does not disclose a first alarm specific to the first peripheral device and a second alarm specific to the at least one addition peripheral device, however since Morinaga teaches that a alarm means is provided for the keyboard in order to alert the user that a problem has occurred thus, it would have been obvious to one of to provide a second alarm specific to the at least one addition peripheral device for the same reason of alerting the user that the one addition peripheral device is not working properly and to further distinguish the one addition peripheral device from the first peripheral device (keyboard) with its own specific alarm.

10. Claim 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morinaga in view Bodenmann et al (US. PAT. NO. 5,881,366).

As to claim 5, Morinaga does not teach the wireless connection is an RF connection. However, Bodenmann teaches a host device 20 is wireless connected to peripheral device using

RF connection (col. 6, lines 7-9). Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Morinaga to use an RF connection for connecting the host device and the peripheral device to obtain better transmitting signal and to provide better power savings.

11. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Morinaga in view Bradley et al (US. APT. NO. 5,805,067 hereinafter Bradley)

Morinaga does not disclose a vibrating alarm. Bradley teaches an alarm device which includes a mechanical alarm such as a vibrator (col. 14, lines 66-67). Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the alarm device of Morinaga to have a vibrating alarm as taught by Bradley because it will provide an effective alarm notification to a visually/hearing impaired individual as taught by Bradley (col. 4, line 67 to col. 15, line 2).

Allowable Subject Matter

12. Claims 13, 14, 18, 19, 21-24 are allowed.

13. Claim 9 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

14. Applicant's arguments with respect to claims 1-8, 10-12, 20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kiyomi (JP409319476) teaches a switching type plural computer operator device.

Honjo (JP410149248) teaches a keyboard interface.

16. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Regina Liang whose telephone number is (703) 305-4719. The examiner can normally be reached on Monday-Friday from 9AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe, can be reached on (703) 305-4709. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Art Unit: 2674

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



REGINA LIANG
PRIMARY EXAMINER
ART UNIT 2674

RL
9/9/04